

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: COLUMBIA UNIVERSITY
PATENT LITIGATION

MDL NO. 1592

Judge Mark L. Wolf

**JOINT MOTION OF ALL PARTIES FOR LEAVE TO FILE
IMPOUNDED DOCUMENTS REGARDING MOTION TO DISMISS**

In connection with the Emergency Motion to Dismiss for Lack of Subject Matter Jurisdiction (the “Motion”) filed by the Trustees of Columbia University (“Columbia”) and any opposition to the Motion, all parties in this action hereby jointly request an order impounding documents regarding evidence that plaintiffs believe constitutes confidential research activities. The plaintiffs expect to disclose this confidential information in filings made today in opposition to the Motion and have agreed, as memorialized in greater detail in the attached Stipulation Regarding Filing Under Seal and for Confidentiality (“Stipulation”), that (1) such materials should be filed under seal and will be appropriately labeled confidential; (2) each plaintiff waives its right to be served with any other plaintiff’s confidential evidence of this type; and (3) Columbia may make general references to research efforts by the plaintiffs in public filings without specific reference to particular processes.

The parties jointly request an order impounding these confidential materials in accordance with the conditions described in the Stipulation.

Dated: September 22, 2004

/s/ Claire Laporte

Donald R. Ware (BBO # 516260)
Claire Laporte (BBO # 554979)
Carla Miriam Levy (BBO # 654212)
FOLEY HOAG LLP
155 Seaport Boulevard
Boston, MA 02210-2600
Telephone: (617) 832-1000
Facsimile: (617) 832-7000

Attorneys for BIOGEN IDEC MA INC. AND
GENZYME CORPORATION

/s/ Mark A. Pals

Mark A. Pals, admitted *pro hac vice*
Marcus E. Sernel, admitted *pro hac vice*
KIRKLAND & ELLIS LLP
AON Building
200 East Randolph Drive
Chicago, IL 60601
Telephone: (312) 861-2000
Facsimile: (312) 861-2200

Peter E. Gelhaar (BBO #188310)
Michael S. D'Orsi (BBO #566960)
DONNELLY, CONROY & GELHAAR, LLP
One Beacon Street
Boston, MA 02108
Telephone: (617) 720-2880
Facsimile: (617) 720-3554

Attorneys for ABBOTT BIORESEARCH
CENTER, INC.

Respectfully submitted,

/s/ Adrian M. Pruetz

Adrian M. Pruetz, admitted *pro hac vice*
Charles K. Verhoeven, admitted *pro hac vice*
Robert W. Stone, admitted *pro hac vice*
QUINN EMANUEL URQUHART OLIVER & HEDGES,
LLP
50 California Street, 22nd Floor
San Francisco, CA 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700

Attorneys for GENENTECH, INC.

/s/ Eileen M. Herlihy

Eileen M. Herlihy (BBO #231410)
PALMER & DODGE LLP
111 Huntington Ave. at Prudential Center
Boston, MA 02199-7613
Telephone: (617) 239-0100
Facsimile: (617) 227-4400

Vicki G. Norton.
WILSON, SONSINI, GOODRICH & ROSATI
3611 Valley Centre Drive
San Diego, CA 92130
Telephone: (858) 350-2300
Facsimile: (858) 350-2399

Kirke M. Hasson
PILLSBURY WINTHROP LLP
50 Fremont Street
Post Office Box 7880
San Francisco, CA 94120-7880
Telephone: (415) 983-1000
Facsimile: (415) 983-1200

Attorneys for IMMUNEX CORPORATION AND
AMGEN INC.

/s/ Steven A. Zalesin

Steven A. Zalesin, admitted *pro hac vice*
Melissa Mandrgoc, admitted *pro hac vice*
PATTERSON, BELKNAP, WEBB & TYLER LLP
1133 Avenue of the Americas
New York, NY 10036
Telephone: (212) 336-2000
Facsimile: (212) 336-2222

Attorneys for JOHNSON & JOHNSON

/s/ Leora Ben-Ami

Leora Ben-Ami, admitted *pro hac vice*
Patricia A. Carson, admitted *pro hac vice*
KAYE SCHOLER LLP
425 Park Avenue
New York, NY 10022
Telephone: (212) 836-8000
Facsimile: (212) 836-8689

Robert S. Frank, Jr. (BBO #177240)
CHOATE HALL & STEWART
Exchange Place
Boston, MA 02109-2804
Telephone: (617) 248-5000
Facsimile: (617) 248-4000

Attorneys for WYETH AND
GENETICS INSTITUTE LLC

/s/ David I. Gindler

Morgan Chu, admitted *pro hac vice*
David Gindler, admitted *pro hac vice*
IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067
Telephone: (310) 277-1010
Facsimile: (310) 203-7199

Thomas F. Maffei (BBO # 313220)
GRIESINGER, TIGHE & MAFFEI, LLP
176 Federal Street
Boston, MA 02210-2600
Telephone: (617) 542-9900
Facsimile: (617) 542-0900

/s/ Wayne M. Barsky

Wayne M. Barsky
Kevin S. Rosen
Amanda J. Tessar
GIBSON, DUNN & CRUTCHER LLP
2029 Century Park East
Los Angeles, CA 90067-3026
Telephone: (310) 552-8500
Facsimile: (310) 551-8741

Attorneys for THE TRUSTEES OF
COLUMBIA UNIVERSITY IN THE
CITY OF NEW YORK